



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

AUG 04 2015

REPLY TO THE ATTENTION OF:

WN-16J

Aaron Luckstein, Supervisor
Southwest Regional Unit, Wastewater Section
Minnesota Pollution Control Agency
18 Wood Lake Drive SE
Rochester, MN 55904

Re: U.S. Environmental Protection Agency Review of Draft NPDES Permit, City of Freeborn
Wastewater Treatment Facility, Freeborn, Minnesota, Permit No. MN0040908

Dear Mr. Luckstein:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft National Pollutant Discharge Elimination System (NPDES) Permit for the City of Freeborn Wastewater Treatment Facility, permit number MN0040908. This Draft Permit was submitted to EPA for review via email on July 16, 2015. EPA's review focused specifically on one aspect of the permit, the proposed phosphorus effluent limitations. Based on our review of this particular component in the draft permit, EPA would not object to issuance of the permit. Our position could change if any of the following occur:

- 1) Prior to the actual date of issuance of a Proposed Permit, an effluent guideline or standard is promulgated which is applicable to the permit and which would require revision or modification of a limitation or condition set forth in the Draft Permit;
- 2) A variance is granted and the Permit is modified to incorporate the results of that variance;
- 3) There are additional revisions incorporated into the Permit which have not been agreed to by EPA; or
- 4) EPA learns of new information, including as the result of public comments, which causes EPA to reconsider its position.

Subject to the above conditions, the permit may be issued in accordance with the Memorandum of Agreement and pursuant to the Clean Water Act.

Although we currently do not intend to object to the issuance of this permit, EPA requests that MPCA review and consider the points set out in Enclosure A.

When the Proposed Permit is prepared, please forward a copy and any significant comments received during any public notice period to r5npdes@epa.gov. Please include the EPA permit number, the facility name, and the words "Proposed Permit" in the message title. If you have any questions related to EPA's review of this permit, please contact Bob Newport at (312) 886-1513 or at newport.bob@epa.gov.

Thank you for your cooperation during the review process and your thoughtful consideration of our comments.

Sincerely,



Kevin M. Pierard, Chief
NPDES Programs Branch

Enclosure

cc: Nancy Heskett, MPCA, Rochester Office

Enclosure A

U.S. Environmental Protection Agency
Draft NPDES Permit Received July 16, 2015
Freeborn WWTF; NPDES Permit No. MN0040908

1. Based on the action recently taken by the State legislature, MPCA will need to revise/update the language in the draft Public Notice that indicates interested parties may petition to the Commissioner for a Citizens' Board review of the permit issuance.
2. At the time of permit issuance the Freeborn WWTF is operating at less than the permitted average wet weather design flow (AWWDF) rate of 0.0356 mgd and is demonstrating the capability of meeting the effluent mass limit of 98 kilograms per year for total phosphorus. Thus the facility will likely not be making major infrastructure improvements until such a time as flows approach the AWWDF. In general for these types of situations EPA proposes that the permit should require phosphorus reduction optimization – evaluating a range of measures for reducing phosphorus discharges from the treatment plant, including possible source reduction measures, operational improvements, and minor facility modifications that will optimize reductions in phosphorus discharges. However, this being a pond facility, there may be relatively more limited opportunities for optimization. What may be appropriate for the Freeborn permit could be a simplified phosphorus optimization requirement which would focus on reducing phosphorus amounts in the influent, perhaps also with language that sets out if flows approach the AWWDF a phosphorus treatment alternatives evaluation should be undertaken.